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Provisional

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Thursday, 24 August 2000, 10.30 a.m.

New York

President:	Mr. Hasmy	(Malaysia)
Members:	Argentina	Mr. Martinsen
	Bangladesh	Mr. Chowdhury
	Canada	Mr. Heinbecker
	China	Mr. Chen Xu
	France	Mr. Levitte
	Jamaica	Mr. Ward
	Mali	Mr. Maiga
	Namibia	Mr. Theron
	Netherlands	Mr. Scheffers
	Russian Federation	Mr. Lavrov
	Tunisia	Mr. Cherif
	Ukraine	Mr. Yel'chenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Cunningham

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

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00-61984 (E)

The meeting was called to order at 10.45 a.m.

Expression of welcome to the new Permanent Representative of Canada

The President: I should like at the outset of the meeting to acknowledge the presence at the Council table of the new Permanent Representative of Canada to the United Nations, His Excellency Mr. Paul Heinbecker. On behalf of the Council, I extend a warm welcome to him. We look forward to cooperating with him in the work of the Council.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

The President: In the absence of objection, I shall take it that the Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

There being no objection, it is so decided.

I invite Mr. Annabi to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations. I give him the floor.

Mr. Annabi: I am pleased to provide members of the Security Council with an update on developments in Kosovo since our last briefing to the Council, which took place on 13 July.

Last month saw the culmination of the first phase of the civil registration process. Of the Kosovo Albanian majority, some 90 per cent participated in the registration process. Of those applications, some 100,000 were subject to a review process, which should be completed by the end of this month. Of the review cases processed to date, 29 per cent have been substantiated, bringing the total number of names placed on the civil registry to more than 930,000. In addition, 181,642 applications have been received from outside Kosovo, of which 31,619 have been approved to date.

Over the past month, the United Nations Interim Administration Mission in Kosovo (UNMIK) has made major efforts to ensure that the registration would be simple and safe. Nevertheless, widespread intimidation from hard-line Serb elements, including open threats to cut off pensions or inflict physical injury, dissuaded the vast majority of Kosovo Serbs from participating in the process. In addition, Kosovo Turkish participation was limited due to ongoing divisions within their community over demands they had presented regarding the status of the Turkish language. Some radical elements repeatedly rejected UNMIK's proposals designed to ensure the full use of the Turkish language in municipalities where the Kosovo Turkish community resides. Despite the Turkish Government's endorsement of the Mission's proposal on this issue, those elements maintained their demands for the imposition of Turkish as a third national language. As a result, the Kosovo Turkish community was not able to mobilize for registration prior to the end of the registration process.

Following the completion of the civil registration, the focus is now shifting to the upcoming municipal elections. Mr. Kouchner, the Special Representative of the Secretary-General, has announced that those municipal elections would be held on 28 October. To date, the Central Election Commission has certified a total of 20 political parties, two coalitions, three citizens' initiatives and 15 independent candidates. One of UNMIK's main concerns in the pre-election period is the recent rise in what is perceived to be politically motivated violence, particularly against members of the Democratic League of Kosovo (LDK). The most serious incident was the killing of a member of the Istok LDK presidency who had been abducted on 23 July. Since the beginning of August, three other local LDK representatives have been the targets of separate shooting incidents, and one local LDK office has been bombed.

UNMIK takes the threat of political violence or intimidation very seriously. It is therefore readjusting police priorities to face that challenge. Every available strategy will be explored and used as necessary, from security training for party members to police escorts and/or personal protection in especially high-risk situations. Incidents will be vigorously investigated

and the Mission will strictly enforce the election code of conduct, which prohibits political entities from involvement in violence or intimidation. UNMIK will not hesitate to remove from the ballot any candidate or political party in cases where involvement in politically motivated violence can be substantiated.

The Special Representative of the Secretary-General has held over the past month two "town hall" meetings, as they are called, which were attended by hundreds of local residents over the past week to discuss the concerns of the local population. He used those opportunities to urge the population to participate in the upcoming elections and to call for tolerance across ethnic communities. For their part, local residents questioned the Special Representative as to what measures UNMIK would take to ensure that the elections would be free and fair. They also raised questions over property issues and travel documents. Those town hall meetings were the first in a series of such meetings that the Special Representative plans to hold throughout the province over the coming weeks.

In mid-July, Mr. Kouchner also presented his initial concept of a pact for Kosovo society involving a step-by-step elaboration of a legal framework for substantial autonomy and community protection during the interim administrative period. The pact will not address the issue of Kosovo's final status. The first element of that pact, the regulation on the self-government of municipalities, has been signed into force by Mr. Kouchner. Other elements of the pact will include mechanisms to protect the rights of Kosovo's various ethnic communities and the eventual establishment of Kosovo-wide institutions for genuine self-government. All such institutions will remain under the authority of the Special Representative, in accordance with Security Council resolution 1244 (1999).

As part of UNMIK's commitment to equal rights for all of Kosovo's communities, Mr. Kouchner has launched a new initiative designed to improve conditions and services for Kosovo's non-Serb and non-Albanian communities. That initiative envisages special support programmes for those communities in a number of areas that include health, education, social welfare and public services. The Special Representative has already held an initial round of constructive consultations with representatives from Kosovo's Bosniac, Gorani, Turkish, Egyptian and Askalji communities in support of that initiative. In those consultations, UNMIK is including representatives from all non-Serb and non-Albanian political parties, irrespective of the level of public support they appear to enjoy.

In another significant development, from 21 to 23 July, a group of 40 representatives of Kosovo Serb and Albanian communities met in Airlie, Virginia, at a conference convened by the United States Institute of Peace. The conference unanimously adopted a declaration that is now referred to as the Airlie Declaration, which endorses the building of democracy in Kosovo as the highest priority, and the holding of free elections as a key element in that process. The Declaration also recognizes the fundamental right of all Kosovo residents to return to the province and the cultivation of a strong and vibrant multi-ethnic civil society as essential for the future of Kosovo. The conference participants also committed themselves to what they called a pact against violence that would promote tolerance, prevent negative exploitation of ethnic issues and enable physical integration and political participation for all residents of Kosovo.

Following the Airlie House conference, the Interim Administrative Council (IAC) and the Kosovo Transitional Council (KTC) representatives expressed strong support for the Declaration adopted there. Discussions are now being held on how to transform the Declaration into a series of concrete initiatives. UNMIK has expressed its readiness to play an active role in this effort. This will be particularly important, given the traditional reluctance of most local political leaders to engage in direct dialogue with each other while inside Kosovo. In addition to following up on the Airlie House Declaration, both the IAC and the KTC continue to work constructively on a number of key issues, including the endorsement of the revised Kosovo consolidated budget and an extensive stocktaking of the work of the joint interim administrative departments.

Progress on these issues was facilitated by the continuing cooperative attitude of the Serb National Council of Gracanica and by the return of Mr. Thaci and his Party for Democratic Progress of Kosovo (PPDK) to the joint administrative bodies, following a walkout in early July, which we reported to the Council last month.

Another significant development over the past month was the phasing out of the humanitarian pillar of

UNMIK. On 15 July, this pillar was officially phased out as a formal component within UNMIK. Mr. Eric Morris, who is a very experienced Office of the United Nations High Commissioner for Refugees (UNHCR) staff member and a former Deputy Special Representative of the Secretary-General in Bosnia, has been appointed as the United Nations Humanitarian Coordinator for Kosovo. Mr. Morris will also serve as the Special Envoy of the United Nations High Commissioner for Refugees for the Federal Republic of Yugoslavia. The focus of his activities so far has been on the establishment of a humanitarian accounting project, aimed at identifying gaps in the transition from emergency to development work in all communities in Kosovo. It will also review what United Nations assistance will be needed in order to fill these gaps over the coming winter.

While voluntary return movements of Kosovars from Western Europe and other countries have continued at a regular pace, non-voluntary returns from Germany and Switzerland are rapidly rising. These forced returns jumped from 600 during the month of May to over 1,700 in the month of July. Since February, over 5,600 persons have been returned involuntarily to Kosovo, including some 3,300 from Germany and over 2,300 from Switzerland. Although the Governments involved normally support UNMIK's position on not forcing the return of minorities, there have been a number of Kosovo Roma and Gorani among the non-voluntary returns.

A few days ago, on 14 August, UNMIK assumed responsibility for, and subsequently shut down, the Zvecan lead smelter in the Mitrovica region, which represented a major health hazard, threatening both the local community and the international personnel stationed in the area. Recent air samples indicated a level of lead pollution which is 200 times the international standard established by the World Health Organization. The shutdown of the Zvecan lead smelter facility, which was carried out with assistance from the Kosovo Force (KFOR), faced little resistance. Since then, the security situation in Zvecan has been stable and the general atmosphere remains calm.

UNMIK has taken a number of steps to manage the health crisis and to mitigate the economic impact on the smelter's workforce. Cleanup operations at the facility are under way and medical facilities have been set up to test the lead levels in blood for both the workers and the members of the local population. More than 1,400 of the estimated 1,500 Kosovo Serb workers of the facility have registered with UNMIK and have been paid an advance on their August salaries.

While there were demonstrations at the beginning of this week involving up to 1,000 people, these demonstrations have remained orderly. Within days of the takeover, the number of participants in the demonstrations has dropped to 100 to 200 people. Combined with the high registration rate of the smelter's workforce with UNMIK, this trend indicates a growing confidence among the plant's Kosovo Serb employees in UNMIK's administration.

An initial inspection of the smelter indicates widespread neglect, poor safety and environmental standards and a consequent collapse of worker morale. UNMIK's Trepca Administration, reinforced by a consortium of experts from three major international mining companies, will now assess the technical, environmental and financial feasibility of the entire Trepca mining and metallurgical complex in northern Kosovo. At the same time, UNMIK will also repair or replace safety and production equipment. As part of this effort, up to 2,000 local Trepca workers will be employed over the next year. The budget for this phase of Trepca's renovation has been set at $16 million and includes funds for workers' salaries, equipment and payments to the consortium. Most of this sum has already been raised from the European Union, the United States, France and Italy.

I would like to turn now to the situation in Mitrovica. There was an upsurge in violence and instability in the city over the latter half of July, and this underscores the fragility of the peace process in northern Kosovo. Incidents of inter-ethnic violence have been accompanied by the periodic outbreak of organized unrest among elements of the Kosovo Serb community in the northern part of the city. On more than one occasion during this period, order was restored following direct contacts with leaders from the Serb National Council of Mitrovica. This unrest became particularly acute in the wake of the UNMIK police's detention of a Kosovo Serb "bridge watcher" on 16 July. Following the arrest, UNMIK police officers were illegally detained, their weapons and equipment seized and their apartments broken into and ransacked.

By the end of the July, as a result of UNMIK and KFOR action, the situation had significantly calmed

down and improved. Nevertheless, these episodes of organized unrest highlight the relative ease with which determined troublemakers can raise tensions in the northern part of the city.

UNMIK and KFOR have reviewed their joint operation plans and reinforcement options for the Mitrovica area. This is, however, only a short-term solution that will enable the Mission to better respond to future incidents of unrest. It is essential to take the initiative away from the radical elements within the Kosovo Serb community. Together with KFOR, UNMIK is revising its plans for the north of Kosovo and developing a comprehensive strategy to extend and reinforce the influence of the international community in the area.

As regards the overall security situation, minority populations continue to be the target of ethnic violence and intimidation. Kosovo Serbs and Kosovo Roma, in particular, have been the victims of shootings and grenade arson attacks. In one of the most recent incidents, a group of Kosovo Serb children was injured in a grenade attack in Obilic, in the Pristina region. Despite these continuing challenges to the security of minority communities, some small-scale spontaneous returns have taken place, including 35 Kosovo Serb internally displaced persons who returned to Slivovo in the Pristina region and about 100 internally displaced persons to the village of Grace in Vucitrn, again in the Mitrovica region.

In the wake of these returns, a representative of the Serb National Council (SNC) in Mitrovica attended a meeting of the Steering Committee of the Joint Committee on Returns on 31 July. This marked the first time the SNC-Mitrovica has participated in a Kosovo-wide institution.

The SNC-Mitrovica members have subsequently become involved in a plan to organize what are called go-and-see visits for Kosovo Serbs to the Osojane valley in the Istok municipality in the Pec region.

Low-intensity guerrilla activity continues in the Presevo valley in southern Serbia. There have been intermittent reports of violent clashes, which are believed to involve members of what is called the Liberation Army of Presevo, Medvedja and Bujanovac (UPCMB) and Serbian security forces. At the end of July, a series of incidents, including extended exchanges of gunfire and mortar attacks, were recorded inside the ground safety zone east of Dobrosin.

While there has been no major influx of Albanian internally displaced persons in response to this violence, some 35 new arrivals have registered for assistance with the Office of the United Nations High Commissioner for Refugees (UNHCR) in the Gnjilane and Pristina regions over the past month. These recent developments serve as a reminder that the situation in southern Serbia remains an issue of concern.

In conclusion, I would like to say that in the coming weeks, UNMIK will continue its ongoing efforts to generate and sustain a climate in which free and fair elections can take place. These efforts will remain at the top of UNMIK's agenda. UNMIK will also closely monitor all aspects of the electoral process and will use every means at its disposal to deter and punish acts of political violence. In addition, UNMIK will continue its work to improve conditions for Kosovo's ethnic minorities — including their material and security conditions.

The Secretary-General will submit to the Council next month a report on UNMIK's activities, and he has asked his Special Representative, Mr. Kouchner, to be available — perhaps towards the end of September — to introduce the report to the Council. Mr. Kouchner will be in a position to provide additional details on UNMIK's activities. In the days to come we will work out with the incoming President the dates of that presentation to the Council.

The President: I thank Mr. Annabi for his comprehensive briefing.

I shall now give the floor to the members of the Council.

Mr. Chowdhury (Bangladesh): I thank Assistant Secretary-General Hédi Annabi for updating us on the situation in Kosovo. A number of positive developments have taken place in Kosovo since we last met in the Council for an open discussion, in July. We look forward to the report of the Secretary-General, as just mentioned by Mr. Annabi, and to its introduction by Special Representative Mr. Bernard Kouchner.

For today's debate we would like to make the following points. First, regarding municipal elections: we welcome the announcement by Mr. Bernard Kouchner that the municipal elections in Kosovo will be taking place on 28 October, a date set at the recommendation of the Chairman of the Central Election Commission and in consultation with the

Interim Administrative Council. The international community has long been supportive of elections being held in the fall of this year. We are happy to note that the projected time-frame is being maintained. The municipal elections will be the first major step towards the establishment of duly elected institutions in Kosovo. We are also encouraged by last month's signing of the municipal elections law, which resulted from elaborate discussions with local bodies and consultations with international organizations.

Secondly, regarding voter registration: we also welcome the successful end of the registration of Kosovo's population last month in preparation for the election. The registration of more than 1 million people within Kosovo and 150,000 outside is a big step forward. We regret, however, that the Serbs, numbering about 100,000, did not register. We emphasize the importance of the full participation of all ethnic communities in local administration in order to restore peace and security.

My third point concerns the security situation. A number of violent incidents have erupted in different parts of Kosovo, including Mitrovica, in recent months. The leaders in Kosovo must do more to end the cycle of violence. We call on the Kosovars, irrespective of their ethnic origin, to unite against those who disrupt peace and are a threat to peaceful coexistence and to building a safe, democratic, multi-ethnic future for Kosovo.

We support the ongoing efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK) to improve security, the rule of law and the return of refugees and internally displaced persons. As the elections near, UNMIK should concentrate more on security aspects. We are concerned that political violence could increase with the approach of the elections. Every step should be taken to hold the election campaigns in a secure and peaceful manner.

Fourthly, as regards the judiciary: the judiciary in Kosovo has been dysfunctional for quite some time, mainly on account of a lack of judges. We welcome the appointment earlier this month by the head of UNMIK of an additional 139 judges and prosecutors and 309 lay judges to the Supreme Court, to the district, municipal and minor offences courts in different regions of Kosovo, and to the commercial court in Pristina.

The effective functioning of the judicial system is an essential prerequisite of law enforcement. The additional judges and prosecutors will definitely contribute to the re-establishment of the rule of law in Kosovo.

My fifth point concerns missing persons and detainees. We have made references to this continuing problem a number of times in the Council. The relatives of the persons who remain captive suffer constant agony and anxiety. We saw this ourselves during the visit of the Security Council mission to Kosovo last April. The continuation of this situation breeds mistrust and undermines attempts to build inter-ethnic harmony. The sooner the problem of the missing persons is brought to a satisfactory end, the better will be the outlook for a return to peace. In this context, we reiterate our support for the appointment of a special envoy of the Secretary-General for missing persons and detainees.

My sixth point relates to economic activity. The pace of economic activity in Kosovo needs to be boosted. That would provide jobs for the Kosovars and would allow them to look forward to the future rather than being haunted by the misery of the past. We are encouraged by the launching of road repair programme in Kosovo by the European Agency for Reconstruction. Improving the infrastructure is definitely the most important investment for stimulating economic activity.

In conclusion, I would like to say that restoration of peace in a region which has been a hot spot of conflict and inter-ethnic violence for a long time is a task of immense complexity. The notable progress made recently shows that it is not impossible. Let me conclude by paying a special tribute to the untiring efforts of Mr. Bernard Kouchner in leading the efforts of the United Nations to establish peace and security and to further reconciliation in Kosovo. We commend him for carrying out a formidable job most admirably.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): We are most grateful to Mr. Annabi for his briefing on the situation in the Yugoslav province of Kosovo. We can see how much is being done, thanks to the international presence, in the attempt to create a more or less normal life for the people of Kosovo. From that standpoint, it is perfectly clear that a certain amount of progress has been made.

Unfortunately, only some of those actually in Kosovo are aware of that progress: people who are now

able to live there calmly, without fearing for their lives. Sadly, that does not apply to all those who live in Kosovo, least of all to those in Kosovo who have not yet been able to return to their own homes. Thus, if we look at the tasks set by resolution 1244 (1999), which aim at establishing a free, multi-ethnic, safe society for all those who had previously lived in Kosovo, it is clear that we are as far from achieving them as we were a year ago.

We note that, as in the past, the main provisions of resolution 1244 (1999) continue to be violated. The tasks involved in ensuring the safety and security of the people of Kosovo — all the people of Kosovo — are not being tackled successfully. These include the launching of a political process to determine the future status of the region within the Federal Republic of Yugoslavia. Nor is respect for the sovereignty and territorial integrity of the Federal Republic of Yugoslavia being ensured.

Looking at the overall security situation, we note with alarm that terrorist activities continue against non-Albanian ethnic groups. Only a few days ago, on 17 August, a bomb exploded in an Orthodox church at Velika Reka in the Vucitrn area, and hand grenades exploded on a basketball court in Obilic, in the Pristina region, as mentioned today by Mr. Annabi. Then, on 18 August grenades were launched at a Pristina building housing the Political Parties Services Centre of the Organization for Security and Cooperation in Europe (OSCE) as well as the Yugoslav committee for cooperation with the United Nations Interim Administration Mission in Kosovo (UNMIK). As usual, those responsible could not be identified. I recall no one ever being punished for a crime of this kind in Kosovo. Nor has the international presence been able to put an end to armed provocation organized by Albanian extremists in the Presevo valley, something to which Mr. Annabi also referred this morning.

In that light, we consider that the policy of heedlessly forging ahead with respect to municipal elections could entail further potential problems in an already difficult situation in Kosovo. We have repeatedly appealed to the leadership of the United Nations and of UNMIK to affirm that this is not the time for holding such elections. But despite this, Mr. Kouchner has decided to hold municipal elections on 28 October, even though many international experts, including experts from the Council of Europe and from the United Nations mission to assess preparations for the Kosovo elections, have expressed grave doubts about the wisdom of holding elections without the participation of the majority of the Serb or Turkish ethnic minorities in Kosovo. We are seriously concerned that the notion of holding elections on 28 October at all costs could undermine all efforts to establish a truly democratic multi-ethnic society in the region. It could result only in legalizing the erstwhile Kosovo Liberation Army units and structures that continue to sow lawlessness under the smokescreen of the so-called Kosovo Protection Corps.

We know that the conditions that would enable the approximately 250,000 refugees and displaced persons and the approximately 100,000 Serbs in the region to participate in the elections are absent. Mr. Annabi said that one reason why the Serbs, for instance, are not registering to vote is that radical Serb elements are intimidating the Serb population in Kosovo. I am certain that this happens, and even though Mr. Annabi did not give chapter and verse I cannot disbelieve him. Yet I know too that if this is indeed taking place, it is probably the least significant reason why Serbs are not registering. The principal reason why minorities do not wish to register is that they continue to feel far from secure. They have a constant feeling that their lives are threatened; they have no freedom of movement; and they see extremist Albanian elements carrying out activities against minorities in Kosovo with impunity.

Would not members agree that, when we are talking about the reasons why members of minorities are not registering to vote, we should look at the entire picture, not merely cast a critical eye on those referred to by Mr. Annabi as "hard-line Serb elements". As indicated by Mr. Annabi, we are also hearing of increasing political violence, not only against ethnic minorities, but also against representatives of the moderate, liberal Kosovo Albanian parties.

He gave us an example of scores being settled by physical violence against the representative of the Democratic League of Kosovo, Mr. Rugova's party. Gorani leaders in the Dragas municipality were also attacked. We know that the perpetrators of those actions were members of the Kosovo Protection Corps (KPC) who joined the Corps from the former Kosovo Liberation Army (KLA). In this very chamber a week ago we distributed a document that proves that the Kosovo Protection Corps is indeed recruiting not only soldiers from the KLA, but also individuals whose

criminal pasts are well known to the Kosovo Force (KFOR). We have had no reaction at all to that document.

We consider that holding elections in Kosovo may provoke a new crisis that would be a threat to regional stability and security. We are convinced that taking the decision to hold elections should have happened only after holding consultations with the Security Council. Mr. Kouchner has gone beyond his authority in deciding on the date of elections on his own. He has taken upon himself enormous responsibility for the consequences of this action for the future of the region as a whole. We have said many times that in violating resolution 1244 (1999), Mr. Kouchner has de facto arrogated to himself the exclusive right to run Kosovo without consulting the Security Council and without any cooperation with the authorities of the Federal Republic of Yugoslavia.

We noted that in Mr. Annabi's briefing there was no mention at all of the idea of cooperation or contact between the United Nations Interim Administration Mission in Kosovo (UNMIK) and the authorities of the Federal Republic of Yugoslavia. As a result of that policy of UNMIK's leadership — whether it is deliberate or not — they are in fact preparing the ground for Kosovo to separate from Yugoslavia. Speaking in New York in the last few days, Mr. Hashim Thaci called the Federal Republic of Yugoslavia "a neighbouring country". That was said in a public announcement at a press conference. I did not hear the leadership of UNMIK or that of the United Nations responding or reacting in any way to such a statement by a leader whom they consider to be the hope for a democratic Kosovo in the context of implementing resolution 1244 (1999).

We have asked many questions about Mr. Kouchner's activities and have not had a single answer to any of those questions. In fact, we also asked why the members of the Security Council have still not received the report of the Finnish forensic pathologists on the results of the tragedy at Racak last year. So I would like to ask a second time, officially, that the Secretariat take measures to ensure that the Security Council can familiarize itself with the report of the forensic pathologists on the tragedy that took place in Racak.

Mr. Annabi also told us that the Zvecan plant had been taken over by KFOR. The explanation given was that there were environmental reasons why that was necessary. We cannot accept that explanation. We view the seizure of that plant as the de facto beginning of plans to seize Serbian property in Kosovo. We know that this plant, which was seized by force, is intended by UNMIK to be handed over to the administrative department for trade and industry, which is working under the United Nations Interim Administration and contains not a single Serb. So we can see very clearly why the Kosovo Serbs are concerned that Mitrovica, where the plant is located, will suffer the same fate as other parts of Kosovo and become yet another district that is ethnically cleansed and Albanian.

We therefore view that episode as the seizure and alienation of Serb property. That plant was simply taken from its Serbian owners. In this context, we would like to draw attention to the fact that UNMIK is not doing anything about the many economic facilities in different parts of Kosovo that have also been illegally seized by the former leaders of the Kosovo Liberation Army and that are now businesses operating within the criminal economy. For instance, there is a whole network of gasoline stations that were seized illegally and are now part of the criminal underground economy.

In conclusion, I would like to mention another step that Mr. Kouchner has undertaken on his own initiative. I refer to orders he signed on the status of UNMIK and KFOR within Kosovo. This was done on the basis of a joint declaration by UNMIK and KFOR. They had been talking about this for a long time, and throughout that process we had warned that deciding the status of the international presence in Kosovo could be done only on the basis of existing United Nations rules and the norms and standards of international law. In other words, it was to be done through negotiations with the host country and through the signing of an agreement on the status of forces between the international presence, on the one hand, and the Yugoslav authorities, on the other. I would also like to remind the Council that in the Kumanov agreement KFOR committed itself to signing with the Government of the Federal Republic of Yugoslavia a document on its own status and its presence in Kosovo. KFOR has therefore already violated its own commitment, apart from any other violations. We consider that the document on the status of UNMIK and KFOR signed by Mr. Kouchner has no legal force. UNMIK and KFOR must begin negotiations with the

authorities of the Federal Republic of Yugoslavia and sign an agreement with them regarding their own status.

We have said many times that a settlement of the situation in Kosovo will be possible only if we have full and complete implementation of resolution 1244 (1999) and it must be implemented not only by those political and ethnic groups that are active in Kosovo but also by the international presence and, naturally, by the Security Council itself.

For the moment, unfortunately, neither the international presence nor the Security Council is fulfilling its part of the agreement that was enshrined in the consensus resolution 1244 (1999).

Mr. Levitte (France) *(spoke in French)*: Among the issues in the precise and detailed overview submitted to us by Mr. Annabi, it is obviously the upcoming holding of municipal elections that commands our attention. A major milestone was crossed last week with the announcement of the date for the balloting. We welcome the decision made by the Special Representative, which, I emphasize, was in accordance with resolution 1244 (1999) and the 8 July regulations governing the elections.

These local elections come at the right time. This is an indispensable phase for the establishment of a culture of democracy in Kosovo. The United Nations Interim Administration Mission in Kosovo (UNMIK), effectively and competently led by Mr. Kouchner, has been methodically striving for a number of months now to prepare for them as rigorously as possible. It must, with our help, pursue these efforts.

That requires a climate of calm, which UNMIK and the Kosovo Force (KFOR) are tirelessly striving to restore. Reconciliation, of course, cannot be decreed. It is a process that takes time and for which we must mobilize all our efforts. Progress has been made over recent months thanks, notably, to steps taken by the Special Representative. We must build on them and in no way cede anything to the extremists on all sides who try to sabotage the results already achieved and to cause the electoral process to fail.

The continuation of violence is unacceptable. In a recent statement, the European Union condemned in the strongest terms the intolerable acts perpetrated recently against children, as well as the attack on the building of the Organization for Security and Cooperation in Europe mission in Pristina.

The holding of municipal elections under the right conditions will make it possible to build on progress made since June 1999. These strides have been made thanks to the contributions made since the start of the operation. The European Union continues to be by far the major contributor for Kosovo, with a contribution of over 3 billion euros in 1999 and 2000 in the civil sphere. Its member States are providing almost two thirds of the KFOR troops, which brings the total contribution of the European Union to 8 billion euros over these past two years.

Recently, the European Union decided to support UNMIK's efforts to fight against the major risks of environmental deterioration caused by the industrial and mining complex Trepca. Through the European reconstruction agency, the European Union will thus provide aid amounting to almost 6 million euros to rehabilitate the Zvecan smelter that Mr. Annabi talked to us about.

Before concluding, I would like to pay tribute to Mr. McNamara and his team. If the humanitarian pillar ceases to operate, it will be because it has completely fulfilled its mission and this success should be hailed.

Mr. Eldon (United Kingdom): I should like to begin by focusing on an issue which is of concern to the entire international community and of particular interest to the 76 countries whose citizens are seconded to the United Nations Interim Administration Mission in Kosovo (UNMIK). I am referring to the arrest by the Federal Republic of Yugoslavia authorities of two British policemen employed by UNMIK, together with two Canadian citizens.

The delay of 10 days between the arrest and the granting of consular access was unacceptable. The conditions under which the detainees are being held are also unacceptable. They are in solitary confinement. Only very short periods of consular access have been allowed. They have been allowed only to make one telephone call to their families; and meetings with consular officials and legal representatives should be held in private. These irregularities are inhumane and unjustifiable.

Over three weeks after their arrest the detainees have still not been charged. We call upon the Federal Republic of Yugoslavia authorities to immediately

release the men or bring charges. The current situation is a sad comment on the state of the regime in Belgrade.

The two British policemen were employed by the Organization for Security and Cooperation in Europe (OSCE) pillar of UNMIK and were working to restore stability and peace in Kosovo. They were involved in projects particularly benefiting the Kosovo Serb community. It is frankly in no one's interest that this work should be interrupted.

I should now like to make a few comments on Mr. Annabi's excellent and informative briefing. We welcome Special Representative Kouchner's announcement that municipal elections will be held on 28 October. These elections, which as Ambassador Levitte has said, are fully within the ambit of Security Council resolution 1244 (1999), are an essential step in building a democratic framework for Kosovo and key for the normalization of a shaken society.

It is essential that we do everything we can to make them a success. I cannot agree with the doubts Ambassador Lavrov has expressed about this process, which is designed to help establish the democratic and multi-ethnic society for which we are, I hope, all working.

The OSCE is doing good preparatory work to ensure that the elections take place in the best possible circumstances. The United Kingdom will continue to do what it can to support this important work. Following the OSCE's request for additional staff, the United Kingdom has responded quickly by providing 12 people to work in the elections department. We hope other nations will do the same.

In the run-up to the elections, our key concern is the security situation. As Mr. Annabi and Ambassador Lavrov have both said, we have already seen an increase in ethnic and politically motivated violence connected with the elections. We deplore this. Together with our European Union partners, we condemn the attack on 18 August which injured 9 Serb children. We condemn the attack on the OSCE building housing Kosovo's political parties and the office of the Federal Republic of Yugoslavia Committee for Cooperation.

Those responsible for these attacks must be prosecuted, and quickly. The clear message must be that violence against democracy is unacceptable and that it will be brought to justice. We urge Kosovo's leaders to support the efforts of UNMIK and the Kosovo Force (KFOR) to prevent further violence.

I would like also to record the United Kingdom's support for the action taken by KFOR and UNMIK to temporarily close down and repair the Zvecan lead smelter on health grounds. This was clearly in the interest of all the residents of Mitrovica, both Serb and Albanian. The levels of lead pollution were unacceptably high. Blood tests for many workers in the factory have shown levels of lead far beyond what is considered medically safe. That simple fact demonstrates that, on health grounds, UNMIK's action was entirely justified.

Finally, I should like to make it clear that the United Kingdom fully supports the UNMIK-KFOR joint declaration and the associated UNMIK regulation on the status of personnel in Kosovo. Contrary to Ambassador Lavrov's implication, it is within the mandate of the Special Representative to take this step under the terms of Security Council resolution 1244 (1999). This is no reflection on the sovereignty of the Federal Republic of Yugoslavia.

Mr. Cunningham (United States of America): We too want to thank Mr. Annabi for his customary informative and thorough briefing. I note and commend the continuing commitment of the United Nations Interim Administration Mission in Kosovo (UNMIK) to the security of all Kosovars and to their inclusion in the rebuilding of Kosovo. I would also like to commend again Bernard Kouchner; his strong and even-handed approach has helped UNMIK meet the challenges posed by a very complicated Security Council resolution in a very difficult situation in a very difficult part of the world.

Resolution 1244 (1999) is very clear about the power and authority the Council has vested in UNMIK's leadership. We agree with the course they are charting, and we have to be realistic about the continuing problems that they will face. Rebuilding Kosovo and implementing the resolution will take time, patience and, most of all, commitment to success. It is a tribute to UNMIK's strong leadership that municipal elections will take place on 28 October. This will mark an important step in the establishment of transitional self-governing institutions, and it has our strong support. Any delay in municipal elections will only benefit Belgrade's desire to frustrate the implementation of resolution 1244 (1999), and will

deny responsible self-government to all in Kosovo, including the Serb community there.

We welcome the recent commitments made at Airlie House by Kosovo's political leadership, including Serbs, to democracy, and to scrupulously respect the election results and to accept the authority of the Special Representative of the Secretary-General to ensure that all communities are adequately represented in the new municipal governments. We also welcome the commitment reaffirmed at Airlie House to the goal of a multi-ethnic civil society with security for all.

The Organization for Security and Cooperation in Europe (OSCE) has done a tremendous job organizing the electoral registration, and we are encouraged to see its efforts continuing to ensure that there are no problems on election day.

Like others, we continue to be concerned about the level of violence. There should be zero tolerance for the violence that we continue to see in Kosovo. We condemn the recent attacks directed against members of the Democratic League of Kosovo, and other episodes of violence from whatever source. We will continue to insist, with all parties, that they reject any and all forms of intimidation during the electoral campaign.

On the smelter in Zvecan, let me say that, in our view, the smelter posed an environmental and health risk that was very well known and documented. Indeed, UNMIK personnel working in that area had to be redeployed after blood tests showed dangerously high levels of lead in their blood after only relatively brief exposure. This situation would not be tolerated by any Government represented on the Council. The closing of the smelter was conducted in an appropriate fashion, with the interest of Serbs in Kosovo paramount; workers continue to be compensated as the plant is renovated and reorganized.

Resolution 1244 (1999) is a Chapter-VII resolution. It conferred upon UNMIK and the Kosovo Force (KFOR) the legal status necessary for them to fulfil their respective mandates. UNMIK and KFOR were therefore acting within their authority in issuing a joint statement confirming their legal status and their privileges and immunities, and UNMIK was within its authority in enacting a regulation effectuating that status in Kosovo.

Finally, let me add that I fully share the concerns expressed by Ambassador Eldon about the detention of the four United Kingdom and Canadian citizens, and we fully support his call for Belgrade to release them or charge them.

Mr. Scheffers (Netherlands): I too would like to thank Mr. Annabi for his briefing on the state of play in Kosovo since our last briefing. He rightly focused on the registration process and on other relevant developments towards ensuring the largest possible participation in the forthcoming municipal elections. Like previous speakers, we welcome the decision by Mr. Kouchner to set the date for elections: 28 October. We very much hope that the elections will result in a multi-party system. The Netherlands will contribute to monitoring them by providing two long-term and approximately 30 short-term observers.

The Netherlands condemns the new surge of politically motivated violence in Kosovo. The recent attacks seem to aim at destabilizing Kosovo in the period preceding the elections. All these attacks are a matter of grave concern to my country: the cowardly grenade attack on Serbian children at play, which left nine of them injured; the bombing of the Political Parties Services Centre of the Organization for Security and Cooperation in Europe (OSCE) in Pristina, which clearly targeted not only the office itself but also the democratization process as such; and the recent spate of attacks on moderate Kosovars, especially officials of the Democratic League of Kosovo. Here, KFOR and UNMIK face the task of preventing the violence that would result in the marginalization of political moderates. My delegation is aware that this calls for a balancing act by KFOR and UNMIK, as polarization between the forces of the international community and the Kosovar population is to be avoided as well.

My delegation also welcomes the recent steps by KFOR and UNMIK to take control of the Zve[illegible] lead smelting factory, a major source of lead po[illegible]n and therefore a major health hazard. UNMIK al[illegible]y bore formal responsibility for the Trepca complex; it has now taken de facto responsibility. We welcome this development and appreciate UNMIK's comprehensive approach to this matter, as described by Mr. Annabi this morning.

As to the elections to be held in the Federal Republic of Yugoslavia on 24 September, we fully understand that UNMIK will not be able to take

responsibility for the organization of those elections in Kosovo. However, on the basis of Security Council resolution 1244 (1999), Kosovo Serbs who wish to cast their votes in the elections for the Federal parliament and in the presidential elections should be able to do so. Therefore, if this is feasible, we would recommend that UNMIK and KFOR assist those Serbs by facilitating their voting in Serbia.

The Netherlands is concerned at persistent reports about activities by Kosovar extremists in the Presevo valley. We appreciate the further information provided by Mr. Annabi, and hope that this remains a matter of concern.

Finally, we wish to associate ourselves fully with the observations made by the representative of the United Kingdom about the unacceptable behaviour by the authorities of the Federal Republic of Yugoslavia with respect to the treatment of the detainees from the United Kingdom, Canada and the Netherlands, in particular with regard to consular access, private legal counselling, and independent health examinations. We once more call upon the Federal Republic of Yugoslavia authorities to comply with their international obligations, enshrined in the Vienna Convention.

Mr. Heinbecker (Canada): I would like to join the representative of the United Kingdom in expressing our serious concern at the arrest of two Canadians and two Britons, who have been held without consular access for nine days. Suspicions of espionage and terrorism are unfounded. If every tourist who arrived in our country, or in any of the other countries represented at this table, was immediately regarded as a spy or a terrorist, we would not have the facilities to hold them. The appropriate thing to do in the circumstances is to issue a visa or to impose a fine.

These types of accusations put at risk personnel working for the United Nations. This is not a concern just for Canada, the United Kingdom and the Dutch. People who work for the United Nations are vulnerable and, as we have seen, can be subject to political manipulation. We look forward to an appropriately quick conclusion of this issue and a prompt release of the detainees.

Turning to the question of Kosovo, the Government of Canada welcomes the signing of the Airlie Declaration by representatives of the Serb and Albanian communities as an important step forward in the long march towards reconciliation. We strongly encourage the parties to continue.

The Government of Canada commends the recently issued United Nations Interim Administration Mission in Kosovo (UNMIK) regulation on the self-governance of municipalities in Kosovo. By granting a wide range of responsibilities to municipalities, this regulation lays the foundation for local democracy, which we hope will begin to take root with the municipal elections in October. The municipal election law and the law governing campaign financing are important measures in ensuring that the fall elections will be free and fair.

We do not hide our disappointment at the level of registration of Kosovo Serbs on the electoral lists for the upcoming municipal elections, but we believe that the registration process was successfully managed, and we commend the efforts undertaken by UNMIK in that regard. The challenges UNMIK faces in organizing free and fair elections are serious. UNMIK needs the support of the international community, which is essential to the process.

Ongoing, intensive security measures will be crucial in the upcoming months. The Government of Canada condemns the upsurge of violence and intimidation seen these days in Kosovo. We believe, however, that we must continue to impress upon the Kosovo Serbs that full participation is the best guarantee for their community, and for all communities, to be fairly represented in the public administration and to contribute to the shaping of their own futures in that province.

As to the Trepca metallurgical smelting complex, we support Mr. Kouchner's decision to close it down. Such levels of atmospheric pollutants would not be tolerated in Canada. The people in Kosovo — be they Serb or Albanian — deserve, and indeed need, the same kind of protection.

Mr. Chen Xu (China) (*spoke in Chinese*): The Chinese delegation wishes to thank Assistant Secretary-General Annabi for his briefing. We would like to make the following observations regarding the situation in Kosovo.

First, the situation in Kosovo, and in particular the personal safety and security of Serbs and other ethnic minorities, has not fundamentally improved. Incidents of violence in which Serbs and other ethnic

minorities have been the primary targets have continued, with no end in sight. As a result of fear and an acute sense of insecurity, Serbs and other ethnic minorities have not been able to return to their homes under normal conditions. At the same time, the Kosovo Liberation Army has continued to carry out its activities in one form or another. We wish to express our deep concern over this situation.

It has now been 14 months since the United Nations took over the administration of Kosovo. According to the Secretariat's briefing, the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR) have made great efforts and achieved some progress. But the indisputable fact remains that the security situation in Kosovo remains a cause for serious concern. Unless timely and effective measures are taken to reverse these trends, the credibility of the United Nations will continue to be undermined.

Secondly, we are of the view that the upcoming municipal elections in Kosovo must be fully well planned and prepared. In particular, the personal safety and freedom of movement of all residents must be ensured so that the elections can be held in an atmosphere of freedom and peace. If the equitable representation of various constituencies cannot be ensured — in particular that of ethnic minorities — it would be difficult to envisage a fair and equitable election. An unfair election will likely become the cause of further ethnic conflict, thereby having unfavourable consequences for peace and security.

Thirdly, with regard of the takeover of the Trepca complex by KFOR, we are of the view that this is not merely an environmental issue. It is a very sensitive political issue because the livelihood of thousands of Serbs depends on that complex. Moreover, this is not the only business in Kosovo with environmental problems. If UNMIK adopts such Draconian measures only in cases of businesses owned and managed by Serbs, that will undoubtedly serve to aggravate ethnic strife. We hope that UNMIK will adopt an attitude marked by prudence and fairness.

Fourthly, we wish to express our concern about the many events that serve to undermine the sovereignty of the Federal Republic of Yugoslavia. For example, a number of foreigners have visited Kosovo and the Federal Republic of Yugoslavia, but that country has had no say about their visits. Moreover, quite a number of quasi-diplomatic organizations have been set up that even enjoy diplomatic privileges and immunity. We would like to emphasize that any course of action designed to lead to Kosovo's independence is illegal and will surely fail.

Finally, the Chinese delegation would like to express its support for the work of UNMIK. At the same time, we wish to reiterate that the sovereignty and territorial integrity of the Federal Republic of Yugoslavia must be fully respected. Security Council resolution 1244 (1999) must be fully implemented.

Mr. Martinsen (Argentina) *(spoke in Spanish)*: My delegation associates itself with the previous expressions of thanks to the Assistant Secretary-General for Peacekeeping Operations, Mr. Hédi Annabi, for the detailed report he has given us about the situation in Kosovo and on the work of the United Nations Interim Administration Mission in Kosovo (UNMIK).

As we have said before, we believe that communities are the foundation of democracy. The upcoming municipal elections, scheduled for 28 October, will mark a good opportunity for the almost 1 million people who are registered voters to understand the value of full participation in democratic life. Though it is disappointing that just 1,000 Kosovo Serbs have registered, we believe that one must stress the courage of these individuals because they made that decision notwithstanding the existing difficulties and Belgrade's negative influence in this regard.

We hope, moreover, that UNMIK will take all the steps necessary to see to it that these elections will, as faithfully as possible, reflect the will of all of the people of Kosovo. The commitment arrived at by representatives of various sectors of political life in Kosovo in the Airlie House Declaration as to the need to scrupulously respect the outcome of the elections and the need to halt ethnic violence and promote democratic values shows that tolerance is possible and allows us to be optimistic about the prospects for success of the approaching electoral process.

As the date for holding the elections draws closer, new challenges in terms of security may arise. The kidnapping and killing, at the beginning of this month, of the political leader Shaban Manaj of the Democratic League of Kosovo is an act that must be categorically condemned. An atmosphere dominated by intimidation

and violence can work against the holding of free and fair elections.

We are also concerned with the ever-present tension in Mitrovica, something also highlighted by Mr. Annabi in his presentation. A major political development, such as the recent Declaration issued by the leaders of the Serbian and Albanian communities of Mitrovica exhorting everyone to calm and tolerance, was quickly overshadowed by the actions of extremists from both communities. We strongly condemn such acts, which seek only to undermine the efforts of UNMIK and the Kosovo Force (KFOR). Also deserving of our denunciation are the recent murders of three members of a Roma family and of a five-year-old Albanian child, and other attacks against ethnic groups. We hope that those responsible for these deeds will be quickly identified and brought to justice.

To keep a culture of impunity from taking root in Kosovo, we must have an impartial, independent, multi-ethnic judiciary. To that end, the decision taken by Mr. Kouchner to appoint 139 new judges and prosecutors for the municipal courts of Kosovo is noteworthy.

The announcement of the leader of the Serb National Council of Mitrovica, Oliver Ivanovic, of his intention to join the Joint Committee on Returns is a positive development that we appreciate. We hope that announcement will contribute to creating the conditions necessary for spurring forward the programme for getting people back to their homes in Kosovo.

As to some of the other issues mentioned by Mr. Annabi in his statement, my delegation also expresses its hope, along the lines also indicated by the United Nations High Commissioner for Refugees, that those countries that have received members of ethnic minorities from Kosovo take into account the security interests of those people before they proceed to deport them by force.

Finally, we associate ourselves with the comments made by the delegations of the United Kingdom, Canada and the Netherlands with regard to the detention of their citizens by the Belgrade authorities. This concerns not only those Governments, but the United Nations as a whole, in the light of the functions carried out by those detained.

In conclusion, my delegation endorses the earlier expressions of appreciation to Mr. Kouchner for the constant and tireless efforts he has been making for inter-ethnic coexistence in Kosovo.

Mr. Cherif (Tunisia) *(spoke in French)*: I would like to thank you, Mr. President, for calling this meeting on the situation in Kosovo, and also to thank Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations, for his statement, which has brought us up to date regarding the latest events in the field.

I will be concentrating on aspects of the issue that seem to us to be of particular importance. My delegation considers that the first stage of the United Nations Interim Administration Mission in Kosovo (UNMIK) activities, urgent measures to re-establish normality in Kosovo, has been implemented satisfactorily. In spite of persistence of a number of issues, most problems are less sizeable and less serious now.

The return to normality seems to be setting in, thus helping us move on to a new stage and ensuring success. The preparations for the elections constitute a crucial stage in the evolution of the peace process in Kosovo. We believe that those preparations should be multi-dimensional in order to give the elections every chance of success.

We welcome the establishment of the electoral lists, on which more than a million people are registered, and UNMIK's efforts in this connection are praiseworthy. However, we continue to encourage all social sectors of Kosovo to participate in these elections, which will lay the foundations of a multi-ethnic society, the only guarantee of lasting reconciliation for Kosovo.

We cannot stress too strongly the importance of a peaceful run-up to the elections, and, here too, the role of UNMIK is particularly important. The Mission should ensure security for the electoral campaign so that it takes place in a normal, non-violent atmosphere, and should ensure as far as possible that the elections do not serve as an occasion to exacerbate ethnic divisions or to promote exclusion.

My delegation welcomes the appointment of new judges and prosecutors. An effective, transparent and impartial judiciary will help bridge ethnic divisions and put an end to impunity.

Finally, we would like to pay homage to Mr. Kouchner and all the members of UNMIK for their dedicated fulfilment of the mandate entrusted to them in accordance with the relevant resolutions of the Security Council.

Mr. Ward (Jamaica): Our delegation would like to thank Assistant Secretary-General Annabi for his briefing on the recent developments in Kosovo.

Jamaica continues to acknowledge the important work that the United Nations Interim Administration Mission in Kosovo's (UNMIK) undertakes, and we welcome improvements and progress in this regard. We would, however, like to focus our remarks on a few areas that are of particular concern.

The violence in the region continues, and ethnic minorities, in particular Serbs and Romas, have little protection and security, despite the efforts of the Kosovo Force (KFOR) and UNMIK. We urge UNMIK to continue its efforts to protect the freedom, security and fundamental rights of the minority population.

With regard to the recent takeover by KFOR of the lead smelting factory in the Trepca complex, we hold the view that UNMIK has the legal authority for the interim administration of the territory, in accordance with resolution 1244 (1999), and, therefore, its decisions should be respected.

However, the protests that have resulted from this incident are a cause for concern. We are concerned about the deterioration in relations between the United Nations and Serbs that seems to be occurring. Jamaica has always encouraged efforts to increase the participation of Serbs and other ethnic minorities in the political and administrative process, and we are pleased at the progress made thus far, with the inclusion of the Serb National Council in the decision-making process. Last month we welcomed the signing of an agreement between UNMIK and the Serb National Council Gracanica; today, we wonder whether the recent problems in Trepca do not run counter to those efforts.

Preparations continue for municipal elections scheduled for October. Those elections are aimed at bringing us closer to the goal of creating a multi-ethnic society and establishing viable democratic structures. The issue of Serb inclusion and participation is crucial to this process; this is acknowledged by all. Events in Trepca are particularly worrying when viewed in that context.

We are encouraged by UNMIK's efforts to ensure adequate security during and after the elections. We have noted that the first phase of the civil registration process has come to a close. We regret that there is a lack of Serb participation in the process. My delegation wishes to reiterate a position we have stated in the past: the full participation of all ethnic groups in the process is essential. Indeed, it is an absolute necessity if a lasting and sustainable peace-building effort is to be achieved. We urge the Serb community to participate fully in the democratic process, and we urge UNMIK to continue its efforts to create an environment that will make their participation possible.

Finally, KFOR reports indicate that the Force continues to uncover and confiscate caches of weapons, ammunition and explosives while at the same time reporting no violations of Security Council resolution 1160 (1998), that is, of the arms embargo. My delegation would like to hear from Mr. Annabi an explanation of the origin of these weapons. If the information is not readily available, I trust that the information will be provided in due course.

Mr. Yel'chenko (Ukraine): I thank Mr. Annabi for his briefing. Let me begin my comments with the issue of elections.

The completion of the civil registration process has been a key preparatory step towards holding the municipal elections in Kosovo that are scheduled for 28 October. However, the low turn-out in this process by representatives of certain national communities, in particular the Serbian and the Turkish communities, has indeed cast a shadow over the general success of the campaign. Taking this into account, it is hard to imagine how they will participate in October elections. We believe that non-participation by any of the Kosovo communities in the coming municipal elections will undermine the inter-ethnic and democratic nature of those elections and will hamper United Nations efforts aimed at establishing a multi-ethnic, tolerant and democratic society in Kosovo. In our view, the United Nations Interim Administration Mission in Kosovo (UNMIK) should formulate other ways of ensuring adequate representation of the interests of all national minorities in local municipal assemblies, even of those whose members may abstain from participation in the October vote.

In this context, I would like to ask Mr. Annabi how UNMIK is going to conduct a vote in

municipalities in which the Serbs and Turks constitute the majority, for example in northern Kosovo and in the Prizren region.

We have repeatedly stated, and we remain convinced, that any progress towards turning Kosovo into a self-governing entity within the Federal Republic of Yugoslavia should be sought by ensuring adequate security conditions and basic human rights for all ethnic groups. Unfortunately, there is much ground for deep concern at the ethnic violence that has been growing in Kosovo over the past month, which continues to claim the lives of innocent people, including children.

My delegation is also concerned about the increase in politically motivated crime in Kosovo in the run-up to the local elections. We were shocked to learn about the bomb attack in Pristina on 18 August against the UNMIK building, which houses the offices of several local political parties. My country supports the statement of the European Union, made on 22 August, that the international community should make every effort to ensure that the October vote takes place in a safe and peaceful atmosphere, free from pressure from political extremists. Ukraine strongly condemns the continuous outbursts of all kinds of violence in Kosovo and calls on UNMIK and the Kosovo Force (KFOR) to pursue their resolute efforts to stop this dangerous trend. My country deems unacceptable all acts of violence against UNMIK and KFOR personnel, whose security should remain a top priority.

My country is also worried by the events following the arrest by the Federal Republic of Yugoslavia and the detention in Montenegro of a number of international workers. We call on the Yugoslav Government to settle this issue on the basis of the provisions of international law as soon as possible. At the same time, we believe that had an agreement on the legal status of UNMIK and KFOR in Kosovo been signed with the Belgrade authorities, the current situation with the detainees, along with many other problems, could have been avoided.

As regards the issue of the Trepca mine complex, we endorse UNMIK's intention to preserve and maintain the facilities of that industrial complex in order to serve the public interest. Undoubtedly, the sources of the environmental pollution caused by the activities of the Trepca mining and metallurgical complex should be eliminated. At the same time, we are not convinced that it was really necessary for the United Nations to take over the complex with the use of force. It looks rather strange that this environmental problem became so acute only after one full year of UNMIK's presence in the province and on the eve of the September elections in Yugoslavia. However good the motivations of UNMIK in this case are, it is important to ensure that all former workers at Trepca get their jobs back as soon as the complex is reopened.

We are convinced that the disputed issue of the ownership of the Trepca industrial complex can be decided only before a competent court with the participation of the current owners. In this respect, another question arises: how does UNMIK intend to solve the problem of unemployed Trepca workers in view of a possible change in the ownership status of Trepca?

My delegation applauds the recent decision of the acting Executive Director of the United Nations Centre for Human Settlements (Habitat) to launch a dispute-resolution body in Kosovo to regularize property rights in the province. We share the view that the resolution of property issues in a fair and impartial manner is a precondition for restoring the rule of law and the protection of human rights.

My country is also satisfied with the first organized return of a group of Serbs to Kosovo, which took place in late July with the facilitation of the UNMIK Joint Committee on Returns. Ukraine also welcomes the signing into law of a regulation on the self-government of municipalities, which lays the foundation for the development of local democracy.

Recently, it has been reported that Kosovo's Interim Administrative Council has discussed the broad outlines of a pact for Kosovo society aimed at determining the interim legal framework that would define substantial autonomy and self-governance for Kosovo. I recall that the idea of the pact was mentioned by Mr. Kouchner during the Security Council mission to Kosovo back in April. At that time I got the impression that this idea had not yet been conceptually finalized. Nor, as I understand it, has it been finalized now. Taking into account the relevant provisions of resolution 1244 (1999), we are convinced that the concept and basic elements of any document on the future status of Kosovo should be presented and discussed first in the Security Council before its consideration anywhere else. Therefore, we would like

to know when this document will be finalized and brought to the attention of the Security Council.

Finally, let me thank Mr. Annabi for the prompt and adequate reaction on the part of the Secretariat to the issue raised by my delegation at our previous briefing, relating to Ukraine's offer to provide UNMIK with a special police unit. I am pleased to state that as a result of the efficient measures undertaken by the Secretariat, United Nations inspection of that unit was recently successfully completed in Ukraine, and we hope that the unit will join the UNMIK police component shortly. It is also my pleasure to confirm the completion of the deployment with KFOR of a joint Polish-Ukrainian peacekeeping battalion a few weeks ago.

Mr. Theron (Namibia): We, too, thank Mr. Annabi for his comprehensive briefing today on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK).

Naturally, my delegation naturally welcomes the positive developments with regard to the work of UNMIK since our last meeting. We are encouraged in particular to hear that the preparations for the municipal elections are proceeding well. We are aware that the office of the Special Representative has opened a line of communication with the authorities in Belgrade, and in that regard we urge the Belgrade authorities to encourage the minority communities in Kosovo to participate in the forthcoming elections, scheduled for 28 October.

While remaining concerned about the continuing violence against minorities, my delegation is happy to learn that the Mission has introduced a series of initiatives geared towards the protection of minority communities, as well as measures to address politically motivated violence in Kosovo. However, the deteriorating security situation in Mitrovica continues to be of concern to my country.

My delegation appreciates the detailed information given this morning about the takeover of the smelter. We would, however, appreciate it if Mr. Annabi could perhaps explain a bit about how the closing would affect the employment rate in the locality of the mine and whether that would perhaps have an impact on the ongoing preparations for the municipal elections.

In conclusion, we commend the men and women of UNMIK for their dedication in assisting the people of Kosovo to build a multi-ethnic society. My delegation also looks forward to the report of the Secretary-General to be issued next month on UNMIK's activities.

Mr. Maiga (Mali) (*spoke in French*): Like previous speakers, I, too, would like to thank Mr. Annabi for his very comprehensive update of the situation in Kosovo.

We can see that significant progress has been made with regard to managing conflict, in the sharing of responsibilities between the United Nations Interim Administration Mission in Kosovo (UNMIK) and the local population and, finally, in the carrying out of essential projects and programmes. Nevertheless, my delegation must point out that, unfortunately, some aspects of Kosovo society have not changed. We continue to witness continuing acts of violence, threats, attacks and murders that are primarily committed by extremists on all sides, motivated by racial hatred and political intolerance. Therefore, the real challenge of creating a society where the entire population can live without fear and in complete security still remains. In that regard, my delegation would like to make the following remarks.

First, we welcome the signing of the Airlie Declaration. While it is true this is a small step, it is nevertheless a very important one for the reconciliation of hearts and spirits that the international community so much desires.

With regard to the elections, we call upon UNMIK to take the appropriate police measures to ensure that the elections that have been announced for next October take place smoothly, transparently and with the required rigour. We also welcome the significant results achieved in registering people to vote, and we call upon UNMIK to continue that task while taking into account all the ethnic groups of Kosovo.

Thirdly, the efforts of the international community will not achieve the desired success until solutions are found to the question of prisoners and, no less importantly, to that of people who have disappeared.

With regard to security, we think that we must not only continue to provide effective security guarantees

for ethnic minorities, but that those guarantees should be reinforced so that they can participate actively in political and economic activities for the rebuilding of Kosovo.

Member States and the donor countries should be urged to continue to provide UNMIK with the necessary means to accomplish its complicated mission. I would therefore like to end by once again renewing my delegation's support for Mr. Kouchner and for the Mission that has been deployed in Kosovo.

The President: I shall now make a statement in my capacity as representative of Malaysia.

I join other members in thanking Assistant Secretary-General Hédi Annabi for his comprehensive and extremely useful briefing. We agree that there have been a number of significant developments in Kosovo since the Council last considered this agenda item, in mid-July.

We are gratified that the Secretary-General's Special Representative, Mr. Bernard Kouchner, and the United Nations Interim Administration Mission in Kosovo (UNMIK) have made serious efforts to lay a solid foundation for democratic self-government in Kosovo in line with Security Council resolution 1244 (1999). We reaffirm our strong support for the ongoing efforts of Mr. Kouchner and UNMIK, as well as those of the Kosovo Force (KFOR) and other international organizations actively engaged in Kosovo, and express our appreciation for the achievements made thus far. In particular, we note with satisfaction the continuing close and constructive cooperation between UNMIK and KFOR, the two main pillars of international support for Kosovo in the implementation of Security Council resolution 1244 (1999).

We further note that a number of important regulations have been signed into law, and that Kosovo's interim democratic institutions continue to be consolidated. We are pleased to see the relatively smooth functioning of the Joint Interim Administrative Structure, the Interim Administrative Council and the Kosovo Transitional Council. Efforts are also being made to further enhance the Kosovo Protection Corps. We once again urge the active participation of the Serb community in those joint administrative organs.

We welcome the successful conclusion of the registration process on 19 July in preparation for the municipal elections that have now been set for Saturday, 28 October 2000. We look forward to the successful conduct of the elections, which will lay a viable foundation for the future of Kosovo. We had urged the participation of all communities in the registration process. We regret the continued boycott by the Kosovo Serb community, which is clearly not in their interests. It isolates and marginalizes that community from the international efforts to establish democracy and multi-ethnicity in that territory.

We are deeply dismayed at the continuing acts of violence in Kosovo, whether ethnically or politically motivated. We deplore those acts, which overshadow the progress made in the implementation of resolution 1244 (1999). Clearly, those acts are the work of irresponsible elements who are out to sabotage the process. The bomb attack at Pristina last Friday on the building of the Organization for Security and Cooperation in Europe (OSCE) was a clear manifestation of this. We are also alarmed by the reported increase in attacks and acts of harassment against UNMIK and KFOR personnel.

All of those acts must be condemned. Certainly the continued precarious security situation, such as that which exists in northern Mitrovica and in other parts of Kosovo, is a matter of continuing concern to the international community. We continue to support the ongoing efforts by both UNMIK and KFOR to tackle the security problem. While the two missions still need the strong and continued support of the international community, their success will ultimately depend on the strong commitment, political will and full cooperation of all leaders of Kosovo's different ethnic communities. The leaders, and people at every level, should constructively play their part to fight extremism and promote ethnic civility and coexistence.

We recall the signing of joint declarations by leaders of different ethnic communities in Pristina and Gnjilane in June, as well as the landmark agreement called the "pact against violence" following the conference at Airlie House, in Virginia, late last month. These important developments in the context of inter-ethnic relations should be seriously followed up with the involvement of communities at the village level.

The issues of missing persons and continued detentions of Kosovo Albanians in jails in Serbia remain matters of serious concern to the international community. We support the ongoing work of the Victim Recovery and Identification Commission of the

International Criminal Tribunal for the Former Yugoslavia to deal with the issue of missing persons. We earnestly hope that concrete actions will be taken in that regard.

We have repeatedly talked in the past of the need for the Federal Republic of Yugoslavia forces to cooperate with UNMIK in resolving this problem in a humane and responsible manner. The lives of thousands of human beings, those in detention as well as their relatives in Kosovo, must not be exploited for political reasons.

Many members of the Council, including Malaysia, had strongly supported the proposed appointment of a special envoy for missing persons, detainees and prisoners. We would appreciate it if Assistant Secretary-General Annabi can update the Council on this important proposal. We would also appreciate hearing any information that he may have on the ongoing work of the International Criminal Tribunal for the Former Yugoslavia with respect to its forensic activities and indictment of perpetrators of war crimes in Kosovo.

In conclusion, my delegation appreciates the explanation given by Mr. Annabi on the decisions taken by UNMIK, in close coordination with KFOR, to assume responsibility for the smelter and improve management of the Trepca complex in northern Mitrovica for reasons of environmental and economic viability of this important industry to Kosovo.

We support the decision taken by UNMIK as an appropriate and necessary measure. We should note the assurances given by UNMIK that workers employed at the smelter will not lose their jobs. To my delegation, this is proof enough that the action taken was prompted by the reasons given by UNMIK and by no other reason. We regret the way the issue has been politicized.

Finally, we join other Council members who expressed concern at the detention of United Kingdom and Canadian nationals who were involved in important international activities in Kosovo.

I now resume my functions as President of the Council.

I shall now give the floor to Mr. Annabi to respond to comments and questions raised.

Mr. Annabi: I will, of course, convey to the United Nations Interim Administration Mission in Kosovo (UNMIK) and Mr. Kouchner the expressions of appreciation for his work as well as the concerns that have been expressed today around the table regarding the activities of UNMIK. I do not have an answer to all the questions that have been raised, but I will try to provide briefly some clarifications on some of the issues that have been raised.

First, regarding the regulation that was signed by Mr. Kouchner on 18 August on the status of privileges and immunities of the Kosovo Force (KFOR) and UNMIK in Kosovo: since UMNIK has been asked under resolution 1244 (1999) to establish an interim civilian administration, it was felt, after a careful legal review of the matter, that it was necessary to enable this personnel, whether they are from KFOR, UNMIK, the Organization for Security and Cooperation in Europe (OSCE) or from the European Union, to carry out their functions under normal conditions, that it was necessary to grant them the basic privileges and immunities that are normally granted in such situations.

It is for that purpose that this regulation has been adopted, and it has been adopted with one major concern in mind, which is to protect the personnel of these various organizations as needed in the local courts. This regulation also ensures and clarifies that the OSCE and European Union pillars, which are integral components of UNMIK, and their personnel, have similar privileges and immunities, so it applies not only to KFOR but also to OSCE and European Union personnel who are part of UNMIK.

Finally, it clarifies matters such as liability and procedures for waiver of immunity in Kosovo. It should be seen in that light, and it is in no way meant to detract from the sovereignty or territorial integrity of the Federal Republic of Yugoslavia.

As regards the closure of the Zvecan lead smelter, Mr. Kouchner has stressed that this is a temporary measure. He has made it clear in a press conference that there is no intention to close it indefinitely. In fact, the intention is to reopen it as soon as it can be repaired and brought into conformity with basic health and anti-pollution standards.

The 1,500 or so workers employed in the factory are being paid by UNMIK, as I indicated in my briefing, and will be, of course, given the opportunity

to resume their work there as soon as conditions permit the reopening of the factory.

Regarding the origins of the weapons which are recovered by KFOR, we will seek additional information. KFOR has provided some information in the periodic report that has been circulated recently to Council members on KFOR activities. We will seek additional information from KFOR as to the origin of these weapons and bring that information to the attention of the Council when we receive it.

Regarding the appointment of a special envoy for missing persons, it is my understanding that the United Nations High Commissioner for Human Rights is finalizing arrangements for the appointment of such a special envoy and that this will be done shortly.

I will have to seek further information on the activities of the International Criminal Tribunal for the Former Yugoslavia and come back to the Council with that information when we receive it.

Finally, on the issue of the conduct of elections in areas where there is a strong presence of Serbs and members of the Turk minority, as members of the Council are aware, UNMIK has made great efforts to try to ensure that all those who are willing to participate in these elections have an opportunity to do so. The registration process has now been completed, and it is not technically possible to reopen the registration process. The regulation on the elections allows the Special Representative to appoint representatives of minorities to the municipal councils to ensure their adequate representation in those bodies. I suspect that in the light of the level of participation in the elections, Mr. Kouchner will take the necessary action to ensure adequate representation for the various minorities in the municipal councils.

The President: I thank the Assistant Secretary-General, Mr. Annabi, for the clarifications and answers he has provided to the questions posed in the course of the discussion this morning.

There are no other speakers inscribed on my list.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.50 p.m.